

Local Rule of Bankruptcy Procedure 2015. DUTY TO KEEP RECORDS, MAKE REPORTS, AND GIVE NOTICE OF CASE.

(a) Required Monthly Operating Reports When a Business is Operated

When a business is operated by a trustee or debtor-in-possession in a Chapter 11 or 12 case, by a trustee in a Chapter 7 case, or by a debtor in a Chapter 13 case, a monthly operating report must be filed with the Court and served upon the United States Trustee [or, in lieu thereof, upon the standing trustee in a Chapter 12 or 13 case] not later than the 20th day of the month following the month for which the report is submitted. The first report is due the month following the month that the order for relief is granted or that a trustee qualifies. A report must be filed in the format approved by the United States Trustee [or, in lieu thereof, by the standing trustee in a Chapter 12 or 13 case].

(b) Disposition of Books and Records

Except in cases involving the disposal of patient records governed by § 351 of the Bankruptcy Code, a trustee who is in possession of books and records of the debtor may destroy, abandon, store, or return to the debtor all or a portion of those books and records on 20 days' notice to the Court, the debtor, the attorney for the debtor, the United States Trustee, the United States Attorney, and the appropriate Internal Revenue Service Special Procedures Staff office. A notice must include the 20-day negative notice language described in LBR 9007(a) and a detailed description of the books and records. If no objection to the proposed disposition is filed with the Court and served on the trustee, the disposition may be made without court order or further notice.

(c) Post Confirmation Requirements in Chapter 11 Cases

1. In cases filed under Chapter 11 in which the debtor is a partnership or corporation, the proponent of a confirmed plan must:
 - (A) file a post confirmation report within 30 days after the date of the order confirming the plan and serve that report upon the master mailing list (matrix) as constituted by the Court on the date of service. The report must inform the Court of the post-confirmation actions taken by the confirmed debtor or the trustee and the progress made toward consummation of the plan; and
 - (B) within 180 days after the date of the confirmation order, file either an application for a final decree showing that the plan has been consummated with a proposed final decree or a subsequent post-confirmation report explaining why an application for final decree is not yet appropriate and requesting a continuance of any status conference previously scheduled.

- 2. In cases filed under Chapter 11 in which the debtor is an individual, the proponent of a confirmed plan must:

- (A) file an annual status report on each anniversary date of the entry of the

confirmation order which outlines the status of payments made by the individual debtor in the past year and any other post-confirmation action taken toward consummation of the plan; and

- (B) file a “Notice of Plan Completion By Individual Debtor(s) in a Chapter 11 Case” (no service required) in a format substantially conforming to TXEB Local Form 4004-b under which the individual debtor declares that all payments under the confirmed Chapter 11 plan have been completed and that all prerequisites for the entry of an order of discharge pursuant to 11 U.S.C. §1141(d)(5) have been fulfilled.
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